

DOCKET NUMBER 95

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11 **UNITED STATES BANKRUPTCY COURT**
12 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

13 In Re:

14 FRANCIS J. LOPEZ,

15 Debtor.

16) **Bankruptcy Case No. 05-05926-PB7**

17) **NOTICE OF LODGEMENT OF**
18) **ORDERS:**

19) **(1) GRANTING PETITIONING**
20) **CREDITORS' MOTION TO COMPEL**
21) **SUPPLEMENTAL RESPONSES TO**
22) **WRITTEN DISCOVERY;**

23) **(2) DEFERRING RULING ON**
24) **SANCTIONS AGAINST ALLEGED**
25) **DEBTOR FRANCIS J. LOPEZ; AND,**

26) **(3) CONTINUING HEARING DATE**

27) Date: March 12, 2007

28) Time: 10:30 a.m.

Dept: 4

Judge: Hon. Peter W. Bowie

22 **NOTICE IS HEREBY GIVEN** that pursuant to Rule 7054-3(b) of the Local Rules of the
23 United States Bankruptcy Court for the Southern District of California ("LBR"), the original of the
24 **"ORDERS: (1) GRANTING PETITIONING CREDITORS' MOTION TO COMPEL**
25 **SUPPLEMENTAL RESPONSES TO WRITTEN DISCOVERY; (2) DEFERRING RULING**
26 **ON SANCTIONS AGAINST ALLEGED DEBTOR FRANCIS J. LOPEZ; AND, (3)**
27 **CONTINUING HEARING DATE,"** a copy of which is attached hereto marked "Exhibit 1" and
28 incorporated herein by this reference, was lodged with the Bankruptcy Court for signature by the

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1 Honorable Peter W. Bowie on March 19, 2007.

2 Pursuant to LBR 7054-3(b)(1), you are advised that you have five (5) business days within
3 which to file and serve, pursuant to LBR 7054-3(b)(3), any objections to the form and/or the
4 substance of the pleadings, and/or serve upon the undersigned alternate pleadings if desired.

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6 Dated: March 19, 2007

KEEHN & ASSOCIATES,
A Professional Corporation

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By: //s// L. Scott Keehn
L. Scott Keehn

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EXHIBIT 1

Name, Address, Telephone No. & I.D. No.
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Attorneys for **Petitioning Creditors**

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West "F" Street, San Diego, California 92101-6991

In Re

FRANCIS J. LOPEZ,

Alleged Debtor.

BANKRUPTCY NO. 05-05926-PBINV

Date of Hearing: March 12, 2007

Time of Hearing: 10:30 a.m.

Name of Judge: Hon. Peter W. Bowie

ORDER:

(1) GRANTING PETITIONING CREDITORS' MOTION TO COMPEL SUPPLEMENTAL RESPONSES TO WRITTEN DISCOVERY; (2) DEFERRING RULING ON SANCTIONS AGAINST ALLEGED DEBTOR FRANCIS J. LOPEZ; AND (3) CONTINUING HEARING DATE

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through 2 with exhibits, if any, for a total of 2 pages, is granted. Motion Docket Entry No. 91.

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DATED:

Judge, United States Bankruptcy Court

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:
KEEHN & ASSOCIATES, APC

(Firm name)


By: L. Scott Keehn

Attorney for ☒ Movant ☐ Respondent

ALLEGED DEBTOR: FRANCIS J. LOPEZ

CASE NO:05-05926-PBINV

Petitioning Creditors' Motion to Compel Supplemental Responses to Written Discovery in Phase II of this bifurcated proceeding (the "Motion") came on regularly for hearing on March 12, 2007, at 10:30 a.m. in department 4 of the above-entitled Court located at 325 West "F" Street, San Diego, California, the Honorable Peter W. Bowie presiding. Appearances were made by the firm of Keehn & Associates, APC, by L. Scott Keehn, on behalf of Petitioning Creditors; and the Law Office of M. Jonathan Hayes, by M. Jonathan Hayes on behalf of Alleged Debtor, Francis J. Lopez ("Lopez"), in opposition to the Motion.

The Court, having previously considered all of the pleadings, papers, requests and declarations submitted by the Petitioning Creditors in support of their positions, and, there being no opposition papers filed, further heard and considered the oral arguments, contentions, and requests of the parties in open session.

The Court's findings of fact and conclusions of law were stated orally by the Court, and recorded in open session, following the close of argument, and are incorporated herein by this reference pursuant to Rules 7052 and 9014 of the Federal Rules of Bankruptcy Procedure, and Rule 52(a) of the Federal Rules of Civil Procedure. Based upon the foregoing, and good cause therefore appearing,

IT IS HEREBY ORDERED that:

- (1) The Motion to compel further response to Petitioning Creditor's written discovery requests is granted in its entirety;
- (2) Without limiting the generality of the foregoing, it is further and specifically ordered that Lopez must provide Petitioning Creditors with all requested supplemental responses to written discovery on or before April 11, 2007;
- (3) The Court reserves jurisdiction for and defers its ruling on the imposition of sanctions against Alleged Debtor; and
- (4) A further hearing on this matter will be held on May 11, 2007 at 9:30 a.m. in Department 4 of the above-entitled court. The Court will renew its consideration of the Petitioning Creditor's request for the imposition of sanctions in the cost of \$4,242.00 at that time.